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DATE FILED: 2-5-20

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JOSEPH GARCIA,

Plaintiff,

1:16-cv-2584 (ALC)

-against-

**ORDER** 

THOMAS GRIFFIN, ERIC T. **SCHNEIDERMAN** 

## ANDREW L. CARTER, JR., United States District Judge:

By Opinion and Order issued on October 4, 2019, this Court adopted Judge Lehrburger's Report and Recommendation in full, denying Petitioner's Petition for a Writ of Habeas Corpus in its entirety, dismissing the case with prejudice. As Petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability shall not be issued. See 28 U.S.C. § 2253(c)(2). The Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this judgment on the merits would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438, 445 (1962); accordingly, the case is closed.

SO ORDERED.

**Dated:** February 5, 2020

New York, New York

ANDREW L. CARTER, JR. **United States District Judge** 

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